

**From:** mring@dotech.com@inetgw  
**To:** Microsoft ATR  
**Date:** 1/23/02 10:39am  
**Subject:** Microsoft Settlement

To whom it may concern;

I oppose the proposed Microsoft Settlement, as it is currently written. I believe that the proposed settlement is weak in both its punitive and preventative content.

The most serious problem that I see with the proposed settlement is that it does not seem to provide any relief for competitive operating systems and applications that seek to be (somewhat) compatible with Microsoft Windows. Indeed, it appears that Microsoft will be able to continue its use of legal and licensing policies to erect barriers to free competitors, such as Linux, Samba and WINE.

I urge you to modify the proposed settlement to include specific prohibitions against any Microsoft practices that erect artificial barriers to entry for competitive operating systems and applications that seek to be compatible with Microsoft Windows.

These prohibitions should, at the least, bar Microsoft from:

- 1) Creating and/or enforcing end user license agreements (EULAs) that prohibit users from running the licensed software on non-Microsoft operating systems and Windows compatibility applications. I think computer users in the United States should be allowed to run Microsoft Outlook, Internet Explorer or even Excel under Linux and WINE if they want.
- 2) Prohibiting the use of Microsoft's public API documentation by competitors to enhance the Windows compatibility of their products. This is needed to support both competition in the office productivity software space as well as the operating system space. What's the point of providing documentation to developers, if then they are not allowed to use the information provided?

In closing, I hope that my comments have helped convince you that, without modification, the proposed settlement with Microsoft does not adequately protect the US consumers who have been harmed by the company's past anti-competitive actions.

Thank you.

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